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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,064	07/30/2003	Mark D. Chuey	LEAR 03997 PUS / 03997	8197
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BROOKS KUSHMAN P.C. / LEAR CORPORATION 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER NGUYEN, NAM V	
			ART UNIT	PAPER NUMBER
			2635	

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/630,064

Applicant(s)

CHUEY, MARK D.

Examiner

Nam V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application:
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/21; 4/1; 5/10/04</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

The application of Chuey for a "programmable vehicle-based appliance remote control" filed July 30, 2003 has been examined.

Claims 1-28 are pending.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 10, 15, 18, 22 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurple (US# 6,282,152) in view of Roddy et al. (US# 6,078,271).

Referring to claim 1, Kurple disclose a method of programming a vehicle-based remote control (10) (i.e. a universal wireless controller) to activate an appliance (i.e. a multiple security and control system), the appliance responding to a radio frequency activation signal (20) (i.e. coded signals) having characteristics represented by one of a plurality of activation schemes (column 4 lines 14 to 49; column 4 line 63 to column 5 line 35; see Figures 1 to 3), the method comprising:

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automatically prompting the user (12) to select one of a plurality of subsets (i.e. control signals) of possible activation schemes (systems in the display list) (column 9 lines 21 to 35; see Figures 4A and 4B);

receiving user input selecting a particular subset of the plurality of subsets (column 9 lines 37 to 45);

for each of at least one activation scheme in the particular subset, transmitting an activation signal having characteristics represented by the activation scheme (column 9 lines 46 to 64; column 10 line 41 to 59; see Figures 4A and 4B);

However, Kurple did not explicitly disclose receiving user input indicating whether or not the at least one transmitted activation signal successfully activated the appliance; if the user input indicates success, storing data representing the at least one activation scheme associated with one of at least one user activation input channel; and if the user input indicates no success and if the particular subset includes at least one untried activation scheme, repeating transmitting an activation signal and receiving user input indicating success.

In the same field of endeavor of a programmable transmitter system, Roddy et al. teach that receiving user input (i.e. pressing a button switches 22a to 22x) indicating whether or not the at least one transmitted activation signal (i.e. a code signal transmitted at a desired frequency) successfully activated the appliance (42a to 42x) (i.e. RF-controlled devices) (column 2 lines 36 to column 3 line 44; see Figures 1 and 2); if the user input indicates success, storing data representing the at least one activation scheme associated with one of at least one user activation input channel (column 3 lines 44 to column 4 line 15; see Figure 2); and if the user input indicates no success and if the particular subset includes at least one untried activation scheme,

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repeating transmitting an activation signal and receiving user input indicating success (column 3 lines 55 to column 4 line 15; see Figure 2) in order to obtain the code at desired frequency associated with the programmed transmitter.

One of ordinary skilled in the art recognizes the need to indicate when a controlled device receives codes at desired frequency of Roddy et al. in a learning security control device of Kurple because Kurple suggests it is desired to have input ports accept control inputs from a plurality of buttons to select operating modes and to activate or to respond to status signals (column 7 lines 43 to 55) and Roddy et al. teach that depressing any of the switches to indicate that a desired frequency was transmitted and to store the desired frequency in the memory (column 4 lines 1 to 15) in order to program the desired frequency in a programmable transmitter easily. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to indicate when a controlled device receives codes at desired frequency of Roddy et al. in a learning security control device of Kurple with the motivation for doing so would have been to program a security control device with a desired frequency easily.

Referring to Claim 15 and 27, Kurple in view of Roddy et al. disclose the method activating an appliance, to the extent as claimed with respect to claim 1 above, and Roddy et al. disclose the method further including when in an operate mode, receiving one of at least one activation inputs; retrieving stored data representing activation signal characteristics; and transmitting at least one activation signal based on the retrieved data (column 4 lines 16 to 47; see Figures 1 to 3).

Referring to Claim 2, Kurple in view of Roddy et al. disclose the method of claim 1, Kurple discloses wherein automatically prompting the user comprises displaying an image of each possible existing appliance remote control transmitter together with a code representative of that transmitter (column 9 lines 20 to 35; see Figures 4A and 4B).

Referring to Claims 3 and 18, Kurple in view of Roddy et al. disclose the method of claims 1 and 15, Kurple discloses wherein receiving the user input selecting the particular subset comprises receiving the code representative of a user selected transmitter (column 9 lines 36 to 45; see Figures 4A and 4B).

Referring to Claims 10 and 22, Kurple in view of Roddy et al. disclose the method of claims 1 and 15, Kurple discloses further comprising: determining that the particular subset selected by the user includes a rolling code scheme; and automatically prompting the user to put the appliance in learn mode (column 4 lines 48 to 61; see Figure 2).

Claims 4-7, 14, 16, 17, 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurple (US# 6,282,152) in view of Roddy et al. (US# 6,078,271) as applied to Claims 1 and 15, and in further view of Ben-Ze'ev (US# 6,791,467).

Referring to claims 4-5 and 16, Kurple in view of Roddy et al. disclose the method of claim 1, however, Kurple in view of Roddy et al. did not explicitly disclose wherein automatically prompting the user comprises displaying an image of at least one possible existing

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appliance remote control transmitter on an in-vehicle interactive display and wherein the interactive display has at least one selection control, receiving the user input selecting the particular subset comprises receiving a signal from at least one selection control indicating selection of a displayed image.

In the same field of endeavor of remote programming control system, Ben-Ze'ev teaches that displaying an image of at least one possible existing appliance remote control transmitter on an in-vehicle interactive display (35) (i.e. display of appliances) (column 10 line 66 to column 11 line 14; column 12 line 41 to 58; see Figures 6 and 7) in order for the user to control and to select a particular appliance easily.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need to display the description or icon of appliance on a remote control screen of Ben-Ze'ev in the display of a programmable security control device of Kurple in view of Roddy et al. because displaying an icon of an appliance would improve the reliable of selection and controlling of the appliance that has been shown to be desirable in the programmable security control device of Kurple in view of Roddy et al.

Referring to Claims 6-7, 17 and 20, Kurple in view of Roddy et al. disclose the method of claims 1 and 15, Ben-Ze'ev discloses wherein automatically prompting the user comprises asking the user to speak a name associated with the appliance and wherein receiving the user input selecting the particular subset comprises receiving a spoken name associated with the appliance (column 13 lines 51 to column 14 line 3).

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Referring to Claims 14 and 26, Kurple in view of Roddy et al. disclose the method of claims 1 and 15, Ben-Ze'ev discloses if the user input indicates no success and if no other activation scheme in the particular subset remains, switching to a help mode (i.e. help section) (column 7 line 62 to column 8 line 9; column 10 lines 26 to 41; column 11 lines 21 to 64; see Figure 4).

Claims 8-9, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurple (US# 6,282,152) in view of Roddy et al. (US# 6,078,271) as applied to Claims 1 and 15, and in further view of Rohrberg et al. (US# 6,661,350).

Referring to claims 8-9, 19 and 21, Kurple in view of Roddy et al. disclose the method of claims 1 and 15, however, Kurple in view of Roddy et al. did not explicitly disclose wherein automatically prompting the user comprises signaling the user to enter on a telephone keypad at least a portion of a name associated with the appliance and wherein receiving the user input selecting the particular subset comprises receiving characters entered on a telephone keypad indicating at least a portion of a trade name associated with the appliance.

In the same field of endeavor of remote programming control system, Rohrberg et al. teach that signaling the user to enter on a telephone keypad at least a portion of a name associated with the appliance and wherein receiving the user input selecting the particular subset comprises receiving characters entered on a telephone keypad indicating at least a portion of a trade name associated with the appliance (column 10 line 54 to column 11 line 36; see Figures 26 and 27) in order for the user to control and to select a particular appliance easily.



At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need for the user to enter on a telephone keypad at least a portion of a name associated with the appliance of Rohrberg et al. in the display of a programmable security control device of Kurple in view of Roddy et al. because entering on a keypad of a particular appliance would improve the reliable of selection and controlling of the appliance that has been shown to be desirable in the programmable security control device of Kurple in view of Roddy et al.

Claims 11-13 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurple (US# 6,282,152) in view of Roddy et al. (US# 6,078,271) as applied to Claims 1 and 15, and in further view of Tsui (US-PUB 2002/0163440).

Referring to claims 11-13 and 23-25, Kurple in view of Roddy et al. disclose the method of claims 1 and 15, however, Kurple in view of Roddy et al. did not explicitly disclose wherein the particular subset selected by the user includes a fixed code scheme, the method further comprising automatically prompting the user to manually enter the fixed code; wherein the particular subset selected by the user includes a fixed code scheme, the method further comprising automatically prompting the user to operate an existing transmitter, the existing transmitter operative to transmit an activation signal activating the appliance.

In the same field of endeavor of remote programming control system, Tsui teaches that wherein the particular subset selected by the user includes a fixed code scheme, the method further comprising automatically prompting the user to manually enter the fixed code (i.e. device

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ID learning sequence); wherein the particular subset selected by the user includes a fixed code scheme (i.e. group format), the method further comprising automatically prompting the user to operate an existing transmitter, the existing transmitter operative to transmit an activation signal activating the appliance (page 5 paragraph 0042 to 0046; page 6 paragraph 0048 to 0049; see Figures 4 and 6) in order for the user to control and to select a particular appliance identification code easily.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need for the user to enter on frequency setting and set appliance identification code sequence of Tsui in the display of a programmable security control device of Kurple in view of Roddy et al. because entering the frequency setting and set appliance code manually would improve the reliable of selection and controlling of the appliance that has been shown to be desirable in the programmable security control device of Kurple in view of Roddy et al.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kurple (US# 6,282,152) in view of Roddy et al. (US# 6,078,271) as applied to Claim 27, and in further view of Tsui (US#6,005,508).

Referring to claim 28, Kurple in view of Roddy et al. disclose the method of claim 27, however, Kurple in view of Roddy et al. did not explicitly disclose wherein the control logic is linked to at least one interface device through a vehicle-based bus.

In the same field of endeavor of remote programming control system, Tsui teaches that wherein the control logic is linked to at least one interface device through a vehicle-based bus (1008) (i.e. data bus) (column 8 lines 1 to 12; see Figure 10) in order to enable communication between input selection and controller.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need to use a data bus in a remote control system of Tsui in the display of a programmable security control device of Kurple in view of Roddy et al. because using data bus would improve the reliable of selection and controlling of the appliance that has been shown to be desirable in the programmable security control device of Kurple in view of Roddy et al.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chiloyan et al. (US# 6,008,735) disclose a method and system for programming a remote control unit.

Miller et al. (US# 6,104,101) disclose a driver interface system for vehicle control parameters and easy to utilize switches.

Joao (US# 6,542,076) discloses a control, monitoring and/or security apparatus and method.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen  
September 2, 2005



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